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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
YOUNGSTOWN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CIVIL NO. 5:04CV816
)	
Plaintiff,)	JUDGE ECONOMUS
)	
vs.)	
)	<u>CONFIRMATION OF SALE AND</u>
THOMAS J. BENNETT, et al.,)	<u>ORDER OF DISTRIBUTION</u>
)	
Defendants.)	

Upon motion of Plaintiff, United States of America, for an Order of Confirmation of Sale and Distribution of Deed and upon the return of the United States Marshal of the sale made pursuant to the Order of Foreclosure, the Court finds as follows:

The United States Marshal of this District offered for sale to the highest bidder at public sale on January 10, 2006, at 10:00 A.M. on the steps of the Holmes County Courthouse, Millersburg, Ohio, the following described premises:

Situated in the Southeast Quarter of Section 23, Township 19-N, Range 15-W, Knox Township, Holmes County, Ohio and being a part of the lands of Ellen A. Wolgamott as recorded in Deed Volume 186, Page 420 and bounded and described as follows:

BEGINNING at a pine tree corner known as the Northeast Corner of the Southeast Quarter of Section 23, Knox Township,

Thence, S 2° 09' 27" E along the Section Line and the Grantor's east line a distance of 306.69 feet to a 5/8 inch bar with indent cap set on the north line of the lands of Evelyn R. Hoyer (Volume 183, Page 736) and south of State Route 514,

Thence, S 48° 19' 21" W along the Grantor's south line and the north line of the Hoyer lands a distance of 239.44 feet to a 5/8 inch bar with indent cap set on the East line of right of way of State Route 514 and the lands of the State of Ohio (Volume 260, Page 3),

Thence N 40° 58' 43" W across the Grantor's west line and the east line of the State of Ohio lands a distance of 58.67 feet to a 5/8 inch bar with indent cap set,

Thence N 2° 09' 27" W across the Grantor's lands a distance of 416.59 feet to a 5/8 inch bar with indent cap set on the Quarter Section Line and the Grantor's North line,

Thence, N 88° 40' 53" E along the Quarter Section Line and the Grantor's north line a distance of 221.51 feet to a pine tree and the TRUE PLACE OF BEGINNING containing 2.000 acres, more or less, but subject to legal highways, easements, or restrictions, if any, of record.

Basis of Bearings: Right of Way Plan (HOL-514-4.60) recorded in Plat Volume 14, Page 211, S 2° 09' 27" E on the Section Line and Grantor's east line.

(This description prepared from a field survey by R. G. Rudolph Surveying, Inc. by Ronald G. Rudolph P.S. 6449)

Plat Vol. 14 Pg 303

Parcel ID: 1100515002

The highest and best bid received for said premises was made by Charles E. Taft in the amount of \$28,450.00 and that pursuant to said bid said premises were then and there sold to Charles E. Taft.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said proceedings and the sale of the said premises to Charles E. Taft is hereby confirmed and a writ of possession is hereby awarded to Charles E. Taft for possession of the premises.

IT IS FURTHER ORDERED that the Marshal shall convey the property so sold by Marshal's Deed to: **Charles E. Taft.**

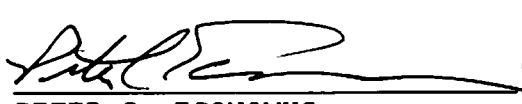
IT IS FURTHER ORDERED that the Clerk of this Court cause release and satisfaction of the following mortgages on the records thereof in the Office of the Recorder of Holmes County, Ohio:

Mortgage executed by Thomas J. Bennett and Phyllis A. Bennett to the United States of America acting through Farmers Home Administration, United States Department of Agriculture, dated September 17, 1993, filed for record in the Office of the Recorder of Holmes County, Ohio, on September 17, 1993, in Volume 204, Page 412,

The Court coming on now to distribute the proceeds from the sale of said real estate, amounting to the total sum of \$28,450.00, ORDERS that said proceeds be distributed in the following manner:

1. To the United States Marshal \$195.09
2. To the Holmes County Treasurer for real estate taxes due
through the first half of 2005 \$638.76
3. To the Plaintiff, United States of America,
the balance of the funds remaining as partial
payment upon the Real Estate Mortgage recorded in
Volume 870, at Page 62, Mortgage Deed Records
of Wayne County, Ohio. \$27,616.15

IT IS SO ORDERED:

 2/2/06
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE

APPROVED BY:

GREGORY A. WHITE
UNITED STATES ATTORNEY

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